

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

LOU ANN CLAUSON, a single person,

Plaintiff,

v.

THURSTON COUNTY, a governmental  
entity, by and through the THURSTON  
COUNTY SHERIFF'S OFFICE, a  
governmental agency; JORDAN GOSS  
and JANE DOE GOSS, husband and wife;  
TYLER TURPIN and JANE DOE  
TURPIN, husband and wife; and  
JOHN/JANE DOES, 1-5, Unidentified  
Thurston County Sheriff's Deputies and  
their Spouses,

Defendants.

NO.

COMPLAINT FOR  
PERSONAL INJURY AND  
VIOLATION OF CIVIL  
RIGHTS AND DAMAGES

COMES NOW the plaintiff, Lou Ann Clauson, by and through her attorneys of record,  
Thomas J. West and the West Law Firm, P.S., and alleges as follows:

**I. JURISDICTION AND VENUE**

1.1 This action is brought pursuant to 42 U.S.C. § 1983 for violations of the Fourth  
and Fourteenth Amendments to the United States Constitution. The court has jurisdiction

COMPLAINT FOR PERSONAL  
INJURY, VIOLATION OF CIVIL RIGHTS AND DAMAGES - 1

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1 over this action under 28 U.S.C. §§ 1331 and 1343. This is also a claim for personal injury.

2 1.2 The claims alleged herein arose in Thurston County, Washington. Therefore,  
3 venue in the Western District of Washington at Tacoma is proper pursuant to 28 U.S.C. §  
4 1391(b)(2).

## 5 II. PARTIES

6 2.1 The plaintiff, Lou Ann Clauson, at all times pertinent hereto, was a resident of  
7 Thurston County, Washington, and all acts related to the matter alleged herein occurred in  
8 Thurston County, Washington.

9 2.2 The defendant Thurston County was and is a governmental entity and at all times  
10 material hereto acted through the Thurston County Sheriff's Office.

11 2.3 The Thurston County Sheriff's Office employed and trained Jordan Goss, Tyler  
12 Turpin, and to date unidentified commissioned deputies, who were all active on duty  
13 deputies at all times material to this incident. The acts of misfeasance and malfeasance  
14 alleged herein and attributed to the aforesaid deputies were done for and on behalf of them  
15 individually, their respective marital communities, and for and on behalf of Thurston  
16 County and the Thurston County Sheriff's Office.

17 2.4 Thurston County owned, trained, maintained, utilized, and commissioned  
18 canines, currently unidentified, who were involved in the incident which is the subject of  
19 this suit, at all times herein relevant.

20 2.5 At all times herein material, the above-named individual defendants, and each of  
21 them, acted within the course and scope of their employment with the Thurston County  
22 Sheriff's Office.  
23

2.6 At all times herein material, the defendants, and each of them, were acting under color of state law.

### III. FACTS

3.1 On or about January 31, 2019, defendants Thurston County Deputies Goss and Turpin, with the assistance of currently unknown Thurston County deputies identified as John and Jane Does, falsely arrested and imprisoned and assaulted the plaintiff and violated her civil rights by using unreasonable and/or excessive use of force in violation of the Fourth and Fourteenth Amendments of the United States Constitution and 42 U.S.C. § 1983.

3.2 More specifically, while said Thurston County Sheriff's deputies were effecting an arrest of plaintiff's son, Cody Clauson, at plaintiff's residence at 7613 Mazama Street SW in Olympia, Washington they, individually and/or collectively, assaulted the plaintiff, handcuffed her while she was in her night clothes, and forcefully took her from her home and placed her on the frozen ground of her property with her hands handcuffed behind her, and then released a Thurston County canine on the plaintiff, which bit her on her backside while she was face down on the ground and otherwise immobile and no threat whatsoever to anyone at the scene.

3.3 Although there was no legitimate basis for arresting the plaintiff, the defendants continued to wrongfully imprison her, and charged her with crimes of assaulting a police officer, resisting arrest and interfering with a police officer's legitimate duties.

3.4 After plaintiff was incarcerated and released, the charges pending against her were not quickly resolved, but Thurston County and the other defendants, failed to appear at

1 court hearings until the court dismissed the case for the County's failure to prosecute due to  
2 the defendants' failure and refusal to appear for court hearings.

3 **IV. FIRST CAUSE OF ACTION – NEGLIGENCE**

4 4.1 Plaintiff realleges and hereby incorporates each and every allegation set forth  
5 above.

6 4.2 The Thurston County Sheriff's Office, at all times herein material, had a duty to  
7 protect public safety and life and physical safety of all citizens, including the plaintiff.

8 4.3 Defendant Thurston County, acting by and through the Thurston County  
9 Sheriff's Office and its deputies acting in their official capacities, negligently hired, trained  
10 and retained its K-9 units.

11 4.4 One or more of the deputies identified hereinabove, and acting within the scope  
12 of his or her employment with the Thurston County Sheriff's Office, negligently deployed a  
13 Thurston County K-9, in violation of the policies and procedures of the Thurston County  
14 Sheriff's Office, state and federal laws and regulations, allowing the K-9 to bite and  
15 seriously injure the plaintiff.

16 **V. SECOND CAUSE OF ACTION – CIVIL RIGHTS VIOLATIONS**

17 5.1 Plaintiff realleges and hereby incorporates each and every allegation set forth  
18 above.

19 5.2 At all times herein material, defendants named above were acting under color of  
20 state law.

21 5.3 At all times herein material, plaintiff had constitutionally protected liberty  
22 interests in life, personal security, bodily integrity, being free from harmful physical  
23

1 contact or emotional injury, freedom of travel, and had constitutionally protected rights to  
2 equal protection, as well as procedural and substantive rights to due process.

3 5.4 The defendant Thurston County, acting by and through the Thurston County  
4 Sheriff's Office and its deputies acting in their official capacities: a) failed to adequately  
5 train its officers in the limits the constitution places on the use of police dogs, or  
6 alternatively, failed to communicate its policy regarding constitutional use of police dogs to  
7 its police officers; b) failed to adequately supervise its defendant officers with respect to  
8 such officers' constitutional deprivations; and c) failed to address these failures despite  
9 being informed of such policy and customs resulting in multiple innocent citizens being  
10 attacked in the same or similar fashion.

11 5.5 The unidentified K-9 employed by Thurston County Deputies bit the plaintiff on  
12 her property while she was immobile with her hands handcuffed behind her back, wearing  
13 only night clothes with her face down on frozen ground.

14 5.6 The actions of the Deputy in charge of the K-9, and others, were reckless, and/or  
15 made with deliberate indifference and were unreasonable in nature and constituted use of  
16 excessive force in violation of the Fourth and Fourteenth Amendments of the United States  
17 Constitution and 42 U.S.C. § 1983.

18 5.7 Additionally, one or more of the defendant Thurston County Sheriff's Deputies  
19 assaulted, and then falsely arrested and/or imprisoned the plaintiff without legal foundation  
20 or basis in further violation of plaintiff's constitutional rights and 42 U.S.C. § 1983,  
21 including actions that were made with deliberate indifference and were unreasonable in  
22 nature and constituted use of excessive force.  
23

## VI. DAMAGES

6.2 As a direct and proximate result of defendants' negligence, intentional torts of assault/battery, false arrest and imprisonment, and civil rights violations referenced above, plaintiff incurred past and future medical expenses, general damages for pain and suffering, including emotional distress and psychological injury, loss of enjoyment of life, and other damages, all in amounts to be proven at the time of trial.

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1 DATED this 12<sup>th</sup> day of January, 2022.

2 WEST LAW FIRM, P.S.

3  
4 By: 

Thomas J. West, WSBA #5857

Attorney for Plaintiff